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For Your Information**FAX TRANSMISSION**

To: Renata B. Hesse	Fax Number: 12023071454
Company : U. S. Justice Department	Date : 1/24/2002
From : Jack Allen	Fax Number : 310 454 8037
Company :	Pages including cover page: 3
Subject : Microsoft Settlement	

Comments:

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January 24, 2002

Renata B. Hesse,
Anti-Trust Division,
U. S. Department of Justice,
601 D Street NW, Suite 1200,
Washington D. C. 20530-0001

Re: Microsoft Settlement

Dear Ms. Hesse:

I find the settlement that the Justice Department has agreed to with Microsoft in Anti-trust case a complete sellout which will only encourage Microsoft to continue its anti-competitive practices. It will not even be a slap on the wrist.

I was delighted when the Justice Department obtained the judgement from Judge Jackson. While I would favored even more stringent penalties, nevertheless I could not deny that justice was served. Now the Justice Department is giving away any leverage it would have had.

I have been in computers since 1960. I was a fully qualified programmer. With IBM I helped pioneer computer word processing and my law offices were among the first be so equipped. I became one of the first attorneys to specialize in computer law and the first to represent buyers of computer equipment and programs. While in law school I spent three years in a program called "Computers and the Law" that developed ways that computers could be useful in the practice of the law.

When Microsoft developed Windows 95, the alarm bells went off as I saw Microsoft use its great power as the source of the only viable operating system to bully computer manufacturers into installing its software and only its software on new desktop computers. Because Microsoft engineers developing competing software applications had the jump on Microsoft competitors in developing Windows 95 applications and then get the programs installed on new computers, Microsoft was able to dominate the market place. For example, WordPerfect (which is still far superior to Microsoft Word) lost its dominance in the marketplace and has been reduced to a piddling share of the market. We all know the story of how Microsoft pushed Netscape out by including Microsoft Explorer as a freebie.

Microsoft needs to be broken up. The maker of the operating system cannot also be the

producer of application software. Nor should it be the manufacturer of hardware to support its programs.

We all suffer when one manufacturer is able to dominate the market. No one else can offer a competing operating system since Microsoft has driven out other operating system manufacturers.

I was after the Justice Department to do something about Microsoft years before it filed its anti-trust action. I was very disappointed that it took the Justice Department to do something to start with and when it finally appeared the Department had accomplished something, it is most disappointing to see all that work wasted with a token settlement.

Sincerely yours,

BACK ALLEN

cc: Senator Diane Feinstein
Senator Barbara Boxer